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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE LINKEDIN USER PRIVACY
LITIGATION

Case No. 12-cv-03088-EJD

**STIPULATED REQUEST TO
EXTEND TIME TO FILE
PLAINTIFFS' OPPOSITION TO
DEFENDANT'S MOTION TO
DISMISS THE FIRST AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT; [PROPOSED] ORDER**

Judge: Hon. Edward J. Davila

Action Filed: June 15, 2012

1 This Stipulation is entered into by and among Plaintiffs Katie Szpyrka and Khalilah Wright
 2 (collectively, "Plaintiffs") and Defendant LinkedIn Corporation ("LinkedIn"), by and through their
 3 undersigned counsel.

4 WHEREAS, on December 20, 2012, LinkedIn filed its Motion to Dismiss Plaintiffs' First
 5 Amended Consolidated Class Action Complaint. (Dkt. No. 59.)

6 WHEREAS, pursuant to the December 4, 2012 Order Granting the Parties' Stipulated
 7 Request to Modify Briefing Schedule and Page Limits for Motion to Dismiss Plaintiffs' First
 8 Amended Consolidated Class Action Complaint, Plaintiffs' deadline to file their Response in
 9 Opposition to LinkedIn's Motion to Dismiss was January 18, 2013. (Dkt. No. 58.)

10 WHEREAS, on January 18, 2013 at 10:50 p.m. (PST), Plaintiffs' counsel attempted to
 11 timely file Plaintiffs' Response in Opposition to LinkedIn's Motion to Dismiss. (Declaration of Ari
 12 J. Scharg ["Scharg Decl."], attached hereto as Exhibit 1, at ¶ 2.) Unfortunately, the Court's
 13 CM/ECF electronic filing system was down for maintenance, and, as such, Plaintiffs' counsel was
 14 unable to file Plaintiffs' opposition brief with the Court at that time. (*Id.*) According to the Court's
 15 website, the CM/ECF electronic filing system would remain offline through January 21, 2013. (*Id.*)

16 WHEREAS, on January 18, 2013 at approximately 11:00 p.m. (PST), upon learning that the
 17 Court's CM/ECF electronic filing system was down, Plaintiffs' counsel decided that the proper
 18 course, so as to maintain the current briefing schedule and avoid any prejudice that would result
 19 from a delayed filing, was to serve Plaintiffs' Response in Opposition to LinkedIn's Motion to
 20 Dismiss on LinkedIn's counsel via electronic mail, with the assurance that Plaintiffs' counsel would
 21 get the brief on file as soon as the Court's CM/ECF electronic filing system was back up and
 22 running. (*Id.* at ¶ 3.) (A true and accurate copy of Plaintiffs' Response in Opposition to LinkedIn's
 23 Motion to Dismiss is attached hereto as Exhibit 2).

24 WHEREAS, in light of these facts, Plaintiffs' counsel conferred with counsel for LinkedIn,
 25 and the Parties stipulate and agree, subject to Court approval, to extend Plaintiffs' deadline to file
 26 their Response in Opposition to LinkedIn's Motion to Dismiss up to and including January 22,
 27

1 2013. (Scharg Decl. at ¶ 4.)

2 WHEREAS, the requested extension will not affect any pending deadlines or hearings. (*Id.*
3 at ¶ 5.)

4 WHEREAS, this Stipulation is not brought for purposes of delay and, given that Plaintiffs'
5 counsel served LinkedIn with their opposition brief on January 18, 2013 via electronic mail, the
6 requested relief will not prejudice LinkedIn. (*Id.* at ¶ 6.)

7 NOW THEREFORE, the Parties hereby stipulate and agree as follows, subject to Court
8 approval:

9 (1) Plaintiffs' deadline to file their Response in Opposition to LinkedIn's Motion to
10 Dismiss (which is attached hereto as Exhibit 2) is extended up to and including January 22, 2013.

11 EDELSON MCGUIRE, LLC

12 Dated: January 22, 2013

By: /s/ Ari J. Scharg
Attorneys for Plaintiffs Katie Szpyrka and
Khalilah Wright

14 COOLEY LLP

15 Dated: January 22, 2013

By: /s/ Matthew D. Brown
Attorneys for Defendant LinkedIn Corp.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Plaintiffs' deadline to file their Response in Opposition to LinkedIn's Motion to Dismiss is extended up to and including January 22, 2013.

Dated: January ____, 2013

HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), I, Ari J. Scharg, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: January 22, 2013

/s/ Ari J. Scharg

CERTIFICATE OF SERVICE

I, Ari J. Scharg, an attorney, certify that on January 22, 2013, I served the above and foregoing ***Stipulated Request to Extend Time to File Plaintiffs' Opposition to Defendant's Motion to Dismiss the First Amended Consolidated Class Action Complaint; [Proposed] Order*** by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Ari J. Scharg _____